

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SENATE BILL 1081

AN ACT

AMENDING SECTION 32-3271, ARIZONA REVISED STATUTES; RELATING TO BEHAVIORAL
HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-3271, Arizona Revised Statutes, is amended to
3 read:
4 32-3271. Exceptions to licensure: jurisdiction
5 A. This chapter does not apply to:
6 1. A person who is currently licensed, certified or regulated pursuant
7 to another chapter of this title and who provides services within the
8 person's scope of practice if the person does not claim to be licensed
9 pursuant to this chapter.
10 2. A person who is not a resident of this state if the person:
11 (a) Performs behavioral health services in this state for not more
12 than ninety days in any one calendar year as prescribed by board rule.
13 (b) Is authorized to perform these services pursuant to the laws of
14 the state or country in which the person resides or pursuant to the laws of a
15 federally recognized tribe.
16 (c) Informs the client of the limited nature of these services and
17 that the person is not licensed in this state.
18 3. A rabbi, priest, minister or **MEMBER OF THE** clergy of any religious
19 denomination or sect if the activities and services ~~he~~ **THAT PERSON** performs
20 are within the scope of the performance of the regular or specialized
21 ministerial duties of an established and legally recognizable church,
22 denomination or sect and the person performing the services remains
23 accountable to the established authority of the church, denomination or sect.
24 4. A member run self-help or self-growth group if no member of the
25 group receives direct or indirect financial compensation.
26 5. A behavioral health technician or behavioral health
27 paraprofessional who is employed by an agency licensed by the department of
28 health services.
29 6. A person contracting with the supreme court or a person employed by
30 or contracting with an agency under contract with the supreme court who is
31 otherwise ineligible to be licensed or who is in the process of applying to
32 be licensed under this chapter as long as that person is in compliance with
33 the supreme court contract conditions regarding professional counseling
34 services and practices only under supervision.
35 7. A person **WHO IS** employed by the department of economic security **AND**
36 who practices social work, marriage and family therapy, substance abuse
37 counseling, counseling and case management within the scope of the person's
38 job duties and under direct supervision by the department of economic
39 security.
40 8. A student, intern or trainee **WHO IS** pursuing a course of study in
41 social work, counseling, marriage and family therapy, substance abuse
42 counseling or case management in a regionally accredited institution of
43 higher education or training institution if the person's activities are
44 performed under qualified supervision and are part of the person's supervised
45 course of study.

1 9. A person WHO IS practicing social work, counseling and case
2 management AND WHO IS employed by an agency licensed by the department of
3 economic security.

4 10. A paraprofessional employed by the department of economic security
5 or by an agency licensed by the department of economic security.

6 11. A CHRISTIAN SCIENCE PRACTITIONER IF ALL OF THE FOLLOWING ARE TRUE:

7 (a) THE PERSON IS NOT PROVIDING PSYCHOTHERAPY.

8 (b) THE ACTIVITIES AND SERVICES THE PERSON PERFORMS ARE WITHIN THE
9 SCOPE OF THE PERFORMANCE OF THE REGULAR OR SPECIALIZED DUTIES OF A CHRISTIAN
10 SCIENCE PRACTITIONER.

11 (c) THE PERSON REMAINS ACCOUNTABLE TO THE ESTABLISHED AUTHORITY OF THE
12 PRACTITIONER'S CHURCH.

13 12. A PERSON WHO IS NOT PROVIDING PSYCHOTHERAPY.

14 B. A person who provides services pursuant to subsection A, paragraph
15 2 is deemed to have agreed to the jurisdiction of the board and to be bound
16 by the laws of this state.